

METRO CUSTOMER CODE OF CONDUCT



Customer code of conduct

title 6

Chapter 6-05

Customer Code of Conduct

Adopted by Metro

July 22, 2010

Amended 06/1/2023

Preamble

The Los Angeles County Metropolitan Transportation Authority (“Metro”) provides important essential services to the traveling public in Los Angeles County. Safety is the guiding principle by which Metro operates. Metro serves our customers and the community most effectively when everyone follows our Code of Conduct to ensure a respectful, safe, and courteous transit experience.

6-05-010 Values

Metro aims to ensure a high quality, safe, comfortable ride to everyone we serve. All riders can expect to:

- Receive friendly and respectful service
- Enjoy a clean and safe environment
- Use Metro services without interference or harassment

Metro asks that riders conduct themselves in a way that shows respect for fellow riders, Metro employees, facilities, and vehicles. Everyone benefits by riding right. Riders enjoy a safe, secure, comfortable and inviting atmosphere, and the overall efficiency of the transportation system improves. Metro’s Code of Conduct can be summarized in the following guidelines:

- A. Pay the right fare.
- B. Respect other riders.
- C. Yield priority seating and locations designated for use by persons with disabilities and senior citizens. Please surrender your seat to these customers when they board.
- D. Passengers are welcome to bring items on-board providing they are not dangerous, can be kept out of the aisle and remain under the passenger’s control in the event of an unscheduled stop.
- E. Do not harm, threaten or harass the driver or fellow passengers.
- F. Sexual harassment of riders and employees is prohibited.
- G. Do not create safety problems.
- H. No eating or drinking.
- I. Respect Metro property – no vandalism.
- J. Use Metro services for transportation purposes only.
- K. No smoking, illegal drugs, or illicit substances.
- L. No bike riding, roller blading, or skate boarding.
- M. No littering, spitting, or creating unsanitary conditions.
- N. No disruptive behavior, loud or unreasonable noises, sound devices or profanity.
- O. No fighting, swearing, or abusive language.
- P. No soliciting or unauthorized commercial activity.
- Q. No lewd behavior.
- R. No weapons or dangerous substances (flammables, toxins)
- S. Must wear shoes, tops and bottoms.
- T. Must comply with Parking Administrative Code.
- U. Must wear shoes, tops and bottoms.

This Ordinance are enacted pursuant to the authority granted to Metro by the California Penal Code Section 640(e) and the California Public Utilities Code Section 99580, *et seq.* Compliance with this Ordinance is a condition of use, by any individual, of a Metro vehicle, facility or property.

6-05-020 Definitions

The following terms, whenever used in this chapter, shall be construed as defined in this section:

- A. "Abuse" and "harassment" mean physical or verbal mistreatment, including hitting, kicking, gestures, yelling, spitting, threats, intimidation, assaults, slurs, and cursing and sexual harassment including unwanted touching, comments, or gestures, of a sexual nature or because of their gender, sexual orientation, or gender expression or gender identity.
- B. "Commercial activity" means any for-profit activity, including selling goods, food, services, or distributing commercial materials.
- C. "Fare" means the monetary charges established by Metro for the use of its facilities and vehicles.
- D. "Loitering" means unnecessary lingering in Metro facilities or vehicles or other location where it interferes with a Metro facility or vehicles or use thereof with the intent to commit a crime.
- E. "Metro" means the Los Angeles County Metropolitan Transportation Authority and its subsidiary, the Public Transportation Services Corporation, and their contractors.
- F. "Metro representative" means a Metro security officer, operator, fare inspector, or other authorized Metro employee, board or sector council member, or contractor.
- G. "Metro facility" means all property and equipment, including rights of way and related trackage, rails, signals, power, fuel, communication systems, ventilation systems, power plants, cameras, signs, loudspeakers, fare collectors or registers, sound walls, stations, vacant parcels, bike paths, terminals, platforms, plazas, waiting areas, signs, art work, storage yards, depots, repair and maintenance shops, yards, offices, parking areas, and other real estate or personal property owned or leased by Metro, used for any Metro activity, or authorized to be located on Metro property.
- H. "Metro vehicle" means a Metro bus, train, car, or other vehicle owned, operated, or used by Metro or its contract service providers transporting Metro representatives or patrons.
- I. "Minor" means a person under the age of 18.
- J. "Rules" or "Code" or "Customer Code of Conduct" means Title 6 of Metro's Administrative Code as amended from time to time.
- K. "Sound device" means a radio, receiver, communication device, phonograph, television, musical instrument, tape recorder, cassette player, CD player, MP3 player, DVD player, game, speaker system, audio system, sound amplifier, or other device that plays music or emits noise. Sound device does not include assistive hearing devices for persons who have impaired hearing.
- L. "Weapon or instrument intended for use as a weapon" includes but is not limited to firearms, switchblade knives, axes, gravity knives, box cutters, straight razors, unpackaged razor blades, swords, nunchucks, explosives, dangerous chemicals or devices, radioactive materials, and highly combustible materials.
- M. "Wheelchair" means, a mobility aid belonging to any class of three (3) or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.
- N. "Mobility aid device" means an assistive device other than a wheelchair used by and primarily intended to assist persons with disabilities with locomotion.

6-05-030 Animals

- A. Animals are permitted on Metro if they meet one of the following:

1. The animal is in a carrier; or
 2. The animal is a service animal, as defined by the Americans with Disabilities Act.
- B. Control of the animal is maintained.
 - C. Animal carriers are secure and intended for that purpose.
 - D. Handlers shall maintain control of their animals at all times. No animal is permitted in a Metro facility or vehicle that is not under the control of its handler or poses a threat to a Metro representative or patron.
 - E. Handlers of animals shall promptly remove all animal waste from Metro facilities and vehicles. Leaving animal waste in a Metro facility or vehicle is prohibited.

6-05-040 Wheeled Riding Devices

- A. Wheeled riding devices including bicycles, skates, skateboards, kick scooters, and other wheeled riding devices except wheelchairs and mobility aid devices, may not be ridden in Metro facilities or vehicles.
- B. A person who enters a Metro facility or vehicle with a bicycle must
 1. Use available bicycle racks/areas.
 2. Not block aisles, doorways, or operators' exit.
 3. Follow bicycle rider rules.
 4. Wheeled riding devices over six (6) feet long are prohibited.

6-05-050 Safe Movement of People and Transit Operations

- A. Passengers and persons must allow:
 1. Free and safe movement of other persons, transit vehicles and transit vehicle operations
 2. Access to aisles, stairways, elevators, and escalators
- B. Activities that disrupt transit operations or the free movement of people are prohibited.

6-05-060 Seating

- A. Passengers shall yield priority, reserved designated seating to older adults and individuals with disabilities.

6-05-070 Carts, Strollers and Luggage

- A. Carts or strollers must not block aisles or doors and must be held or controlled at all times.
- B. Carts occupied strollers and wheelchairs must use elevators, unless no elevator is available. Wheelchairs must always use elevators and call for assistance if an elevator is unavailable.

6-05-080 Respect and Cooperation

- A. Metro representatives and patrons must be treated with respect, and not harassed verbally, physically, or sexually in Metro facilities and vehicles
- B. Persons must comply with all lawful orders and directives given by an authorized Metro representative.
- C. Persons must wear a shirt, pants or skirt, and shoes, while in a Metro facility or vehicle.
- D. Metro may refuse service, or access to Metro facilities or vehicles, including eject or exclude, to any person who does not comply with the code or applicable laws.

6-05-090 Commercial Activity

- A. Persons must not engage in commercial activity in a Metro facility or vehicle without first obtaining a Metro permit or permission.

6-05-100 Creating a Safe Environment

- A. The following are not permitted on or in Metro facilities or vehicles.
1. Spitting.
 2. Hazardous or flammable materials.
 3. Gambling.
 4. Throwing objects from or at a Metro vehicle, staff or patron.
 5. Littering or dumping.
 6. Urinating or defecating outside of the lavatory.
 7. Smoking, vaping or use of alcohol is not allowed in Metro vehicles or facilities.
 8. Food or drink in closed containers only.
 9. Disturbing others by engaging in unruly, loud or activities that disturbs others is prohibited.
 10. Sound devices must be used with headphones or earphones.
 11. Attaching to, hanging from, or riding on any part of the outside of a Metro vehicle is prohibited.
 12. Signs, benches, shelters, trash container and planters are not for climbing or laying on or skateboarding.
 13. Weapons are prohibited on Metro or in Metro facilities.

6-05-110 Loitering

- A. Metro facilities and vehicles are for transit related purposes. Loitering is not allowed.

6-05-120 Parking and use of Metro Facilities and Vehicles

- A. Vehicles parked at Metro facilities must adhere to parking times and requirements.
- B. Only authorized persons are allowed in non-public Metro areas.

6-05-130 Fares

- A. Proof of appropriate fare is required and must be shown upon request by Metro Representatives.

6-05-140 Solicitation

- A. Soliciting is not allowed in Metro facilities or vehicles.

6-05-240 Enforcement

- A. Violations

A person who violates the code is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages and penalties available by law. Enforcement of any provisions of the code involving the payment of any fees, penalties or other administrative amounts, or community service, based on California Penal Code section 640 (b) and (c), shall be pursuant to the authority and according to the procedures, herein and as set forth in the California Public Utilities code including section 99580 et seq. Parents or guardians shall also be responsible in addition to the minor for any fees, penalties, fines incurred or damages caused by their minor in connection with a citation.

- B. (1) A person who violates any provision of the code other than those described in Section A above and who receives a notice of violation may, within 21 days of the issuance of such notice of violation, request an initial review of the notice of violation by Metro. The request for review may be made by telephone, in writing or in person. There shall be no charge for this review. If following the initial review Metro is satisfied that the violation did not occur, or that extenuating circumstances exist, and that the dismissal of the notice of violation is appropriate in the interests of justice, Metro may cancel the notice of violation. Metro shall notify, in writing the person requesting the review of the results of the initial review. If the notice of violation is not dismissed, reasons shall be provided for the denial. Notice of the results of the review shall be deemed to have been received by the person who requested the initial review when personally delivered five days following the mailing of the decision by Metro.

(2) If the person subject to the notice of violation is not satisfied with the result of the initial review, the person may no later than 21 days following the mailing of the initial review decision request an administrative hearing of the violation. The request may be made by telephone, in person or by mail. The person requesting the administrative hearing shall deposit with Metro the amount due under the notice of violation for which the administrative review hearing is requested. A person may request administrative review without payment of the amount due upon providing Metro with satisfactory evidence of an inability to pay the amount due. An administrative hearing shall be held within 90 days of the receipt of request for an administrative hearing.

(3) The administrative hearing shall include all of the following:

- (a) The person requesting the hearing shall have the choice of a hearing in person or by mail. An in-person hearing shall be held within the jurisdiction of Metro, and shall be conducted according to such written procedures as may from time to time be approved by the Chief Executive Officer of Metro or the Chief Hearing Officer. The hearing shall provide an independent, objective, fair and impartial review of contested violations.
- (b) The hearing shall be conducted before a hearing officer designated to conduct the review by Metro's Chief Executive Officer or Chief Hearing Officer. In addition to any other requirements of employment, the hearing officer shall demonstrate those qualifications, training and objectivity as are necessary and consistent with the duties and responsibilities of the position as determined by Metro's Chief Executive Officer or Chief Hearing Officer. The hearing officer's continued employment shall not be directly or indirectly linked to the amount of penalties imposed by the hearing officer.
- (c) The person who issued the notice of violation shall not be required to participate in an administrative hearing. Metro shall not be required to introduce any evidence other than the notice of violation. The notice of violation, in proper form shall be prima facie evidence of the violation.
- (d) Following a determination by a hearing officer that there is sufficient evidence that a person did commit the violation, the hearing officer may, pursuant to Metro Transit Court policies and procedures, order payment in installments, transit school and/or community service. Where it is determined that circumstances exist such that the dismissal of the notice of violation would best serve the interests of justice, the hearing officer may dismiss the notice of violation and shall provide written reasons in support of that decision. The hearing officer shall have the power and authority to make rulings in the interests of justice within the law and Metro policies concerning notices of

violation and the adjudication of hearings, including the granting of eligibility to attend Metro's Transit School for the purpose of reducing any penalty payment, perform community service in lieu of all or a portion of the payment of fines, or other remedy.

- (e) The hearing officer's decision following the administrative hearing may be delivered personally by the hearing officer or may be sent by first class mail.
- (f) Transit Court shall retain jurisdiction pending completion of any order by the Transit Court, but this shall not toll the period for appeal to Superior Court following the initial order of the Transit Court. The hearing officer's decision at administrative review is final except as otherwise provided by law.

C. Ejection

A person who violates any provision of the code may be ejected by order of an authorized Metro representative and may be excluded from all or a portion of Metro vehicles and facilities. This remedy is in addition to any other fine, penalty, assessment or other remedy available at law. The procedures for exclusion are those set forth in Subsections D–H of this Enforcement Section.

1. A person who violates the code may be immediately ejected from the Metro facility or vehicle, without refund of any fare, by an authorized Metro representative who witnesses a violation.
2. A person who violates the code is subject to an administrative fine or other penalty for each violation, as specified in the Metro penalty schedule approved by the Board of Directors or Chief Executive Officer up to the maximum amount provided by law. The Metro penalty schedule shall include fines, fees, administrative penalties, late payment fines, collection recovery costs and other such amounts. To determine the Metro penalty schedule, the costs to the agency and other relevant factors shall be considered.
3. A person who violates the code must, in addition to any fines or penalties listed in Metro's penalty schedule, or as otherwise required by law, pay restitution if the violation involves damages.
4. A violation of the code that is also a violation of a local, state or federal law may be prosecuted in a court proceeding by the appropriate authority, in addition to any enforcement by or remedies available to Metro.
5. Failure to comply with a Notice of Exclusion may result in fines, a citation for criminal trespass, and any other applicable criminal and civil remedies.
6. Metro may establish procedures concerning the administration of any hearing provided such procedures are not in conflict with applicable law or the code, and are approved by the Metro Board or the Chief Executive Officer or Chief Hearing Officer.
7. Metro's Board of Directors or Chief Executive Officer or Chief Hearing Officer shall designate the officers, employees, consultants or contractors who shall be authorized to issue notices of violation, citation, order ejections and exclusions, or otherwise carry out the duties under the code and any requisite training for such persons.

D. Exclusion

1. A person, who violates the code or a law in a Metro facility or vehicle, may be excluded from all or part of Metro facilities and vehicles either indefinitely or for a period of time specified in the Metro penalty schedule or notice of exclusion provided pursuant to Subsection E below.

2. Any person to whom a notice of violation or Penal Code citation or written warning pertaining to an offense, which occurred on or in a public transit facility or vehicle, was issued, and: (a) who has received a citation or written warning for the same violation at least three times in the prior 12 months; or (b) who has failed to pay any applicable fines, fees, penalties or other administrative amounts by the due date, or otherwise resolve the citation when such payment was due; or (c) who is the subject of any outstanding warrant, pending trial, or convicted with respect to any Penal Code offense that is alleged to have occurred on or in a public transit system facility or vehicle, is subject to exclusion, and may receive a notice of exclusion pursuant to Subsection E below.
3. A person excluded under the code may not enter a Metro facility or vehicle during the period of exclusion. Metro may take any reasonable steps necessary to enforce an order of exclusion, including criminal arrest or such other remedies as may be available at law.

E. Notice of Exclusion

A notice of exclusion shall be given by Metro or its authorized representative by personal delivery, first class mail, or if the person does not provide Metro or its representative with a valid current address, to the address provided by the excluded person at the time of any underlying violation(s), or at the excluded person's last known address. A notice of exclusion is deemed received on the date of personal delivery or five days after the date the notice of exclusion is mailed. The notice of exclusion shall specify the reason for exclusion, the places or transit lines from which the person is excluded, the duration of exclusion, the consequences for failing to comply with the terms of exclusion, and the right to seek review or appeal the decision. Any exclusion shall begin on the third day following receipt of the notice of exclusion unless otherwise specified in the notice of exclusion, except that exclusions issued for a period of one day or less are effective at the time the notice of exclusion is received. The exclusion, or other remedy, shall be suspended upon Metro's receipt of a request for review and until the review is decided.

F. Review Request

An excluded person may request a review of the exclusion. The exclusion shall be suspended upon Metro's receipt of a request for review of a notice of exclusion, and until the review is decided and notice of the decision or review is received by the excluded person. The request for review must be made in writing, and may be submitted by mail, or in person or as otherwise provided in the notice of exclusion, within five days after the notice of exclusion is received from Metro. A request for review or notice of decision or review is deemed to be received on the date it is personally delivered, or if mailed, five days after the date of the postmark. The excluded person will be notified of the date for public hearing by mail or in person. The excluded person may request that the exclusion be rescinded or waived for good cause, that the places of exclusion be altered, or that the duration of exclusion be reduced or be permitted to participate in any diversion program available by Metro for which such persons are eligible. The request should include a copy of the notice of exclusion or the number assigned to the notice, a request for review, the current mailing address and signature of the excluded person, and any written statement (and supporting documentation) to explain why the exclusion should be rescinded, waived, altered, reduced or otherwise modified.

G. Administrative Review

The hearing shall be conducted by a hearing officer who is fair and impartial. The excluded person is not required to attend the hearing, and shall have the choice of the hearing being conducted by mail or in person. No Metro representative shall be required to attend the hearing. Metro may submit a copy of the notice(s) of violation, any notice of exclusion, and any documentation or statement by the Metro representative(s) issuing the notice(s) of violation or notice of exclusion. Any notice(s) of violation and/or notice of exclusion shall be received into evidence. Other relevant evidence submitted may be received into evidence at the determination of the presiding hearing officer. Copies of the notice(s) of violation and/or notice(s) of exclusion shall be prima facie evidence of the facts stated therein and shall establish a rebuttable presumption supporting the exclusion of the individual. At the hearing, the hearing officer will review the prima facie validity of the notice of exclusion. Metro and the excluded person may present evidence, including witness testimony, to the hearing officer and may question witnesses who are present at the hearing. The hearing officer's decision shall be based on a preponderance of the evidence. Hearing officers shall have the discretion to dismiss or reduce the fines or other penalties, cancel the notice of exclusion, and make necessary modifications in the interests of justice, including permitting enrollment in an appropriate Metro diversion program for which such person is eligible, in accordance with any policies or procedures adopted by the Metro Hearing Unit. Continuances of the appeal hearing are disfavored but may be ordered by the hearing officer. The hearing officer may authorize the recording of the hearing. The decision of the hearing officer shall be made in writing. The decision of the hearing officer shall be deemed in full effect upon personal service to the excluded person or five days after the mailing of the decision to the address provided by the excluded person.

H. Schedule

Metro shall adopt a penalty schedule of administrative penalties, and any necessary additional procedures in furtherance of enforcement of this code. The schedule and any procedures deemed necessary shall be subject to the approval of the Chief Executive Officer.